

David M. Siegal
212 692 6281
dmsiegal@mintz.com



919 Third Avenue
New York, NY 10022
212 935 3000
mintz.com

October 27, 2023

The Honorable Judge Katherine Failla
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re.: *United States v. Jerome Dimitriou*,
19-cr-00894-KPF-1

Dear Judge Failla:

We write on behalf of Jerry Dimitriou to respectfully request that the Court modify certain conditions of his home incarceration. We have conferred with United States Probation Officer Javier Enciso, who informs us that Probation does not oppose Jerry's requests.

Jerry's first request is to be allowed to work outside his home two or three days a week for a set time as authorized by the Probation Department, for example, 10 a.m. to 4 p.m. Jerry has not been able to find full-time employment since 2017, which has put a severe financial strain on his family. In addition, he has substantial tax obligations pursuant to the terms of his plea agreement. Although part-time work will not fully address these issues, Jerry would like to continue to work as a local handyman, which he was doing prior to his home incarceration commenced. Mr. Enciso has informed us that accommodating this request will not create an additional burden on the Probation Office, given that Jerry's ankle monitor, affixed to him since he began his home incarceration on August 18, 2023, allows Probation to track his location outside the home.

Jerry also respectfully requests that Your Honor enter an Order directing Pretrial Services to release his passport to the Probation Department to hold until Jerry has completed his home incarceration. We are told by Pretrial that they will only hold his passport through November 14, after which time it will be returned to the Department of State and invalidated.

The Government has informed us that it consents to the request concerning Jerry's passport, but opposes Jerry's request concerning handyman work out of his home.

Thank you for your consideration.

MINTZ

October 27, 2023
Page 2



Respectfully,

A handwritten signature in blue ink, appearing to read 'David M. Siegal and Nathaniel Marmur'.

David M. Siegal and
Nathaniel Marmur
Co-Counsel for Jerome Dimitriou

The Court is in receipt of Defendant's above letter (Dkt. #89).

Defendant's request for modification of the conditions of his home incarceration is hereby DENIED, inasmuch as it would contravene the Court's intent at sentencing.

The Court hereby ORDERS Pretrial Services to release Defendant's passport to the Probation Department to hold until Defendant has completed his home incarceration.

The Clerk of Court is directed to terminate the motion at docket entry 89.

Dated: October 31, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Katherine Polk Failla'.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE